

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

BASED UPON THE STIPULATION (Doc. No. 989), **IT IS ORDERED** that all claims by Ferris, Baker Watts, Inc. against James Smith in the above-entitled action are hereby **DISMISSED WITH PREJUDICE** without further costs, disbursements or attorneys' fees to any party.

Dated: September 8, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge